



121103

16138 U.S. PTO

Practitioner's Docket No. 161/006/PA  
Express Mail Certificate EV 056974983 US

**PATENT**

Preliminary Classification:  
Proposed Class:  
Subclass:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**031088 U.S. PTO  
10/735118

121103

**Mail Stop Patent Application**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): Sarah S. Bacus; Bradley L. Smith

For (title): Method for Predicting Response to HER2-Directed Therapy

**1. Type of Application**

This transmittal is for an original (nonprovisional) application.

**2. Papers Enclosed**

**A.** Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

34 Page(s) of Specification

14 Page(s) of Claims

**B.** Other Papers Enclosed

1 Page(s) of abstract

1 Page(s) of Express Mail Certificate

**3. Declaration or Oath**

Not Enclosed.

**4. Inventorship Statement**

The inventorship for all the claims in this application is the same.

**5. Language**

English

**6. Assignment**

An assignment of the invention to Ventana Medical Systems, Inc. and Cell Signaling Technology will follow.

**7. Fee Calculation (37 C.F.R. Section 1.16)**

Regular Application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 CFR 1.16(a) \$770.00
Total Claims (37 CFR 1.16(c))	83	- 20 =	63 x	\$18.00	\$1,134.00
Independent Claims (37 CFR 1.16(b))	5	- 3 =	2 x	\$86.00	\$172.00
Multiple Dependent Claim(s), if any (37 CFR 1.16(d))			+	\$290.00	\$0.00

**8. Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$2,076.00

**Total Fees Enclosed** \$2,076.00

**9. Method of Payment of Fees**

Charge Account No. 50-0861 in the amount of \$2,076.00.  
A duplicate of this transmittal is attached.

**10. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 50-0861.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

**11. Instructions as to Overpayment**

Credit Account No. 50-0861.

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION CLAIMED**

**12. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

**A. 35 U.S.C. Section 119(e)**

"This application claims the benefit of U.S. Provisional Application No.:

**APPLICATION NO.**

**FILING DATE**

60/432,942

12/11/2002

**13. Maintenance of Copendency of Prior Application**

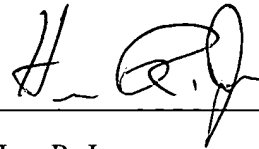
This application is filed prior to the expiration of prior application Serial No. 60/432,942.

**14. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed**

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date:

12/11/03



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Customer No. 23874

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of:	)	
	)	
Bacus, Sarah, S., et al	)	Group No.: Not yet assigned
	)	
Serial No: Not yet assigned	)	
	)	Examiner: Not yet assigned
Filed: herewith	)	
	)	
For: Method for Predicting Response to	)	
HER2-Directed Therapy	)	

**EXPRESS MAIL CERTIFICATE**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

"Express Mail" label number EV 056974983 US  
Date of Deposit 12/11/2003

I hereby state that the following *attached* paper or fee

1. New Application Transmittal, in duplicate - 4 pages each  
Specification - 34 pages  
Claims - 14 pages  
Abstract - 1 page
2. Post Card

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Carolyn Thornburg

  
Signature of person mailing paper or fee